

Message Text

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ACTION L-01

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C O N F I D E N T I A L CARACAS 2030

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LIMDIS
EO 11652 GDS
TAGS: PFOR PGOV PINS VE US
SUBJ: US/GOV LEGAL ASSISTANCE AGREEMENT
ON BOEING

REF: STATE 37815

1. POLCOUNS SPOKE WITH GOV VICE MKINISTER OF JUSTICE
FEB 25 ON ANOTHER SUBJECT AND SHE VOICED HER VIEW
OF RECENT VISIT TO US RELATED IN REF. HER DISPLEASURE WAS
BASED ON THE FOLLOWING: A) SHE AND THE GOV BELIEVED THAT
SHE WAS TRAVELLING TO THE US TO SIGN THE AGREEMENT. IT
IS HER POSITION THAT SOMEONE OF HER RANK SHOULD ONLY SIGN
SUCH AN AGREEMENT. ANY PRELIMINARY DISCUSSION SHOULD BE
UNDERTAKEN AT A LOWER LEVEL BY LAWYERS. SHE REPEATED
SEVERAL TIMES THAT GOV NOT AWARE THAT DEPT OF
JUSTICE WANTED TO DISCUSS AGREEMENT IN SUCH DETAIL.
B) SHE MAINTAINED THAT COPY OF SPANISH AGREEMENT
GIVEN TO GOV POLICE TEAM WHICH FIRST VISITED
WASHINGTON DID NOT, RPT NOT, INCLUDE THE ANNEX WHICH
JUSTICE DEPT LATER ASKED HER TO ACCEPT. SHE EXPLAINED
THAT JUSTICE MINISTRY LAWYERS STUDIED SPANISH AGREE-
MENT (WITHOUT ANNEX) AND FOUND IT ACCEPTABLE. SHE
POINTED OUT THAT BOTH MEXICAN AGREEMENT AND ANNEX TO
SPANISH AGREEMENT CONTAINED PROVISIONS WHICH ARE NOT
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IN ACCORD WITH VENEZUELAN LAW. SHE EXPLAINED THAT
THIS COULD HAVE BEEN HANDLED BY VERBAL AGREEMENT
(I E EVEN THOUGH ILLEGAL, GOV WOULD HAVE BEEN PREPARED
TO DO IT QUIETLY) BUT THAT DISCLOSRE OF SUCH AGREEMENT WAS
NOT VIABLE POLITICALLY IN VENEZUELA. SHE SAID SHE
COULD UNDERSTAND WHY MEXICAN AND SPANISH GOVTS
COULD AGREE TO THOSE THINGS. THEY WERE, AFTER ALL, ON

THE ONE HAND A ONE-PARTY STATE WHERE " NO ONE DARES TO MAKE WAVES" AND, ON THE OTHER, " A DICTATORSHIP TRYING TO FIND ITS WAY TOWARD DEMOCRACY." IN VENEZUELA, WHICH IS A FREE AND DEMOCRATIC SOCIETY, SHE SAID, THE OPPOSITION WOULD SEIZE UPON THIS AGREEMENT AND CAUSE THE PEREZ ADMINISTRATION GRAVE PROBLEMS.

2. SHE EXPLAINED THAT SHE HAD WRITTEN A BRIEFING PAPER FOR PRESIDENT PEREZ ON HER VISIT TO WASHINGTON WHICH REACHED HIM THE AFTERNOON OF FEB 22. LUCKILY, SHE SAID, HE ASKED FOR MORE DETAILS, AND HAS NOT YET MADE A DECISION. SHE STATED QUITE CANDIDLY THAT HER RECOMMENDATION TO THE PRESIDENT WAS THAT VENEZUELA NOT, RPT NOT, ACCEPT THE CONDITIONS PROPOSED BY DEPT OF JUSTICE. SHE ALSO SAID IT WAS LUCKY PRESIDENT PEREZ HAD NOT MADE A DECISION ON THIS PROBLEM ON FEB 22 BECAUSE HE WAS THEN AT THE HEIGHT OF HIS INDIGNATION OVER A RECENT NEW YORK TIMES STORY ALLEGING HE TOOK MONEY FROM THE CIA IN THE EARLY NINETEEN SIXTIES.

3. VICE MINISTER SAID SHE HAD GONE TO WASHINGTON UNDER THE IMPRESSION SHE COULD SIGN AGREEMENT AND RETURN TO VENEZUELA THE NEXT DAY. SHE EXPLAINED HER MINISTER WAS OUT OF TOWN AND SHE HAD BEEN LEFT IN CHARGE OF THE MINISTRY. WHEN SHE ARRIVED, SHE GOT THE IMPRESSION JUSTICE DEPT HAD NOT BEEN PREPARED FOR HER VISIT BECAUSE IT MADE HER WAIT FROM THURSDAY UNTIL THE FOLLOWING TUESDAY. IN VIEW OF HER POSITION THAT DIS-

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CUSSION OF THE TERMS OF THE AGREEMENT SHOULD BE CARRIED OUT BY LEGAL SPECIALISTS, SHE DID NOT ATTEND SOME OF THE MEETINGS AND WENT SHOPPING INSTEAD.

4. ALTHOUGH VICE MINISTER OBVIOUSLY ANNOYED AT THE TIME OF HER VISIT TO WASHINGTON, SHE HAS SINCE COOLED OFF. AS SHE HERSELF SAID, SHE DID MANAGE TO GET SOME SHOPPING DONE. ALSO, SHE WAS VERY PLEASED WITH THE COURTESY AND COMPETENCE OF MESSRS. JOHN KEENEY OF JUSTICE AND FRANK WILLIS OF L/ARA. SHE WAS NOT ABLE TO GIVE AN ESTIMATE AS TO WHEN OR HOW PRESIDENT PEREZ WOULD DECIDE ON HER RECOMMENDATION. SHE DOES SEEM TO BE UNDER THE IMPRESSION, HOWEVER, THAT GTV HAS THE OPTION OF APPROACHING THE SEC DIRECTLY, SHORT CIRCUITING JUSTICE, THRU VENEZUELAN EMBASSY IN WASHINGTON. ASENCIO

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